

REMARKS

In response to the Office Action mailed December 9, 2008, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-12, 18-29, 35-45, 51-61 and 71-74 were previously pending in this application. Claims 1, 18, 35 and 51 are amended. No claims are added or canceled. As a result, claims 1-12, 18-29, 35-45, 51-61 and 71-74 remain pending for examination, with claims 1, 18, 35 and 51 being independent. No new matter has been added.

Finality Of Office Action

Initially, Applicant respectfully requests withdrawal of the finality of the Office Action, as the Office Action fails to state the grounds of rejection purportedly applicable to each of the rejected claims, as required by M.P.E.P. §706.07 and 37 C.F.R. §1.113(b).

On p. 1, the Office Action indicates that the claims 1-12, 18-29, 35-45, 51-61 and 71-74 are rejected. On p. 2, the Office Action states that claims 1, 5, 6, 11, 22, 23, 28, 39, 40, 44, 61, 55, 56, 3, 10, 20, 27, 37, 43, 53, 60, 4, 21, 38, 54, 7, 8, 12, 24, 25, 29, 41, 42, 45, 57, 58, 9, 26, 29, 59 and 71-74 are rejected under 35 U.S.C. §102, and on p. 3, the Office Action states that claims 2, 19, 36 and 52 are rejected under 35 U.S.C. §103. Thus, the Office Action fails to state any grounds for rejecting independent claims 18, 35 and 51. It is noted that the “details of the rejections” set forth in the last Office Action are incorporated by reference in the Final Office Action, the last Office Action did not reject claims 18, 35 or 51 under §102 or §103.

M.P.E.P. §706.07 (quoting 37 C.F.R. §1.113(b)) states that “[i]n making [a] final rejection, the Office Action shall...state all grounds of rejection then considered applicable to the claims in the application, clearly stating the reasons in support thereof.” As this explicit requirement has not been met, the finality of the Office Action is improper and should be withdrawn.

Claim Rejections Under 35 U.S.C. §102

Claims 1, 5, 6, 11, 22, 23, 28, 39, 40, 44, 61, 55, 56, 3, 10, 20, 27, 37, 43, 53, 60, 4, 21, 38, 54, 7, 8, 12, 24, 25, 29, 41, 42, 45, 57, 58, 9, 26, 29, 59 and 71-74 are rejected under 35 U.S.C. §102(e) as purportedly being anticipated by U.S. Patent No. 7,016,942 to Odom (“Odom”). Each of independent claims 1, 18, 35 and 51 is amended herein, and patentably distinguishes over Odom.

I. Brief Overview Of Embodiments Of The Invention

Embodiments of the invention relate generally to performing context management in a networked environment (see Applicant’s specification at, e.g., p. 1, lines 5-6). In this respect, in certain settings, particular data entities, or “subjects,” may be shared by multiple software applications. For example, users of applications in a healthcare setting commonly provide input relating to a particular patient to multiple applications (p. 1, lines 10-12). A user’s input may include clinical data (e.g., x-ray images or blood work results), financial data (e.g., insurance coverage or billing history), or other data relating to the patient (p. 1, lines 12-14).

Before context management systems were developed, users were forced to repeat the entry of data relating to the patient to each of the multiple applications (p. 1, lines 14-15). Context management systems provide the capability to manage a “context,” which may include data describing one or more subjects (in this example, a patient) used commonly by the multiple applications (p. 1, lines 22-26). Thus, a user may switch from one patient’s data to another within a first application, and all of the applications that share a context defined by the patient subject with the first application will switch to the other patient as well, to retain the context (p.3, line 24 – p.4, line 25).

Patient data is only one illustrative example, as other data may define a subject, including data relating to a health care provider, clinical encounter, observation, insurer, user (e.g., to enable “single sign-on” capabilities for the multiple applications) and/or other data (p. 1, lines 15-19). Applications may also share a context defined by subjects not related to healthcare (p. 1, lines 15-

21).

FIG. 1 depicts an exemplary context management system comprising context manager 230 which manages a context for two context participant applications 210 and 220, which communicate with context manager 230 over a network (p. 2, lines 14-15). Applications 210 and 220 may execute on the same or separate computers, and these computers may be the same or separate from the computer(s) on which context manager 230 executes (p. 2, lines 16-18).

While the components of a context management system may communicate in different ways, in one example, when a user of one of the applications (e.g., application 210) desires to switch the context by accessing the data for a new subject (e.g., switching from one patient to another within the application), the application sends a request to context manager 230 (p. 3, lines 24-26). The requesting application may be referred to as the “instigator” of a requested change in context (p. 3, lines 28-29). When context manager 230 receives the request, it may survey the other applications that share the context (in this example, application 220) to determine whether the switch is acceptable (p. 3, lines 29-31). For example, context manager 230 may send a request to other applications that share the context, and these other applications may determine whether the change is acceptable (p. 4, lines 2-3). The context manager 230 may receive the results of the survey and communicate them to the instigator application (p.4, lines 12-16). The user of the instigator application may examine the results and determine how to proceed, such as by going forward with the change in context, cancelling it, or causing one or more applications to no longer share the context (p. 4, lines 12-16).

Issues may arise when performing context management in a networked environment. For example, network security initiation of connection with (e.g., by facilities (e.g., virtual private networks (VPNs), firewalls, and/or other facilities) may prevent the transmission of unsolicited messages to) components executing on computers that reside “behind” the security facility (e.g., behind a firewall) (p. 12, lines 25-30). For example, a firewall may employ identity masking features which effectively allow a client residing behind the firewall to transmit messages to an outside device and to receive responses to those messages, but keeps the Internet Protocol (IP) address of the client hidden from the outside device so that the outside device can not transmit

unsolicited messages directly to the client (p. 12, lines 25-30). This may present a problem for context management systems, because if a context manager executes on a computer outside a firewall, it may be unable to initiate a connection with a context participant application executing on a client behind the firewall (p. 13, lines 1-3). Returning to the example above to illustrate, if application 210 executed on a client behind a firewall, and application 220 instigated a change in the context shared by applications 210 and 220, context manager 230 may be unable to survey application 210 because it may be unable to transmit an unsolicited message to application 210. As a result, applications 210 and 220 may be unable to share a context.

Some embodiments of the invention provide techniques for facilitating communication between a client and a context manager. In one embodiment, a network connection is established between the client and context management server and maintained for a period of time during which a context is shared (p.13, lines 4-7).

The foregoing summary is provided to assist the Examiner in appreciating some aspects of the invention. However, the description above may not apply to each independent claim, and the language of each independent claim may differ in material respects from the summary provided above. Thus, Applicant's respectfully request that careful consideration be given to the language of each independent claim, and that each be addressed on its own merits, without relying on the summary provided above. In this respect, Applicant does not rely upon the summary above to distinguish any of the claims over the prior art, but rather only upon the arguments below.

II. Claims 1-12, 18-29, 35-45, 51-61 and 71-74

As amended, each of independent claims 1, 18, 35 and 51 includes limitations directed to a client executing at least one application which shares a context with another application for a period of time. A context management server is coupled to the client via a network. The network includes at least one security facility which prevents the context management server from initiating a connection with the client. A connection through the network is employed to transmit one or more communications between the context management server and the client to facilitate sharing of the context by the at least one client application and the another application. The connection is

maintained between the client and the context management server for the period of time during which the at least one client application and the another application share the context.

Odom is simply unrelated to the subject matter of claims 1, 18, 35 and 51, as Odom says nothing at all relating to a plurality of applications sharing a context. In the "Response" section on p. 3, the Office Action contends that Odom discloses a plurality of applications sharing a context. Applicant respectfully traverses this assertion, as the word "context" is not used even once by Odom, and further points out that each of claims 1, 18, 35 and 51 requires that a context comprise at least one subject data item, usable by a plurality of applications, having a set of values comprising a first value corresponding to at least one client application and a second value corresponding to another application. Odom says nothing at all relating to these limitations. Instead, Odom discloses a system wherein a client computer may temporarily assume the responsibilities of a server computer to more effectively distribute processing resources or provide transactional privacy within a clustered competing environment (col. 1, lines 27-32).

The Office Action also contends that the claimed subject matter does not address the problem summarized above relating to network security facilities preventing a context management server from transmitting unsolicited messages to applications residing behind a firewall, as the independent claims do not recite a network security facility. Each of claims 1, 18, 35 and 51 is amended herein to recite at least one network security facility which prevents a context management server from initiating a connection with a client.

In view of the foregoing, each of claims 1, 18, 35 and 51 patentably distinguishes over Odom, such that the rejection of claim 1 under 35 U.S.C. §102(e) as purportedly being anticipated by Odom should be withdrawn.

Claims 2-12, 19-29, 36-45 and 52-61 depend from claims 1, 18, 35 and 51, respectively, and are allowable for at least the same reasons as the respective base claim.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1389.70013US00.

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Respectfully submitted,

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